



**AGENDA ITEM #16**

**AGENDA ITEM EXECUTIVE SUMMARY  
Village Board Meeting  
5/22/2023**

**Item Title:** Lake Street Corridor Zoning Overlay Presentation

**Staff Contact:** Caron Bricks, AICP, Community Development Manager

NEW BUSINESS

**VILLAGE BOARD ACTION:**

**Receive a presentation from Teska & Ancel Glink regarding the proposed outline for the Lake Street Corridor Zoning Overlay and provide feedback.**

**Executive Summary:**

As the Village Board knows, DuPage County applied for and received a Local Technical Assistance (LTA) grant in 2020 from the Chicago Metropolitan Agency for Planning (CMAP) to build on the previous Lake Street Corridor plan completed in 2014. This grant is to develop and create a Zoning Overlay Plan for the unincorporated areas in DuPage County along Lake Street between Cloverdale Road and Bloomingdale Road in conjunction with the three impacted communities: Roselle, Bloomingdale, and Hanover Park. Staff has been working with the Overlay group since the last presentation in 2022 to draft the outline for the actual zoning overlay. The consultant will present the preliminary requirements within the Overlay and solicit feedback. The outline will serve as the backbone to the overlay as the consultants will draft the final language in the coming months.

**Implications:**

**Is this item budgeted?** N/A

**Estimated cost:** N/A

**Any other implications to be considered?** N/A

**Strategic Priority:**

Focused Redevelopment

**Attachments:**

Memo



## Memorandum

**To:** Lake Street Zoning Overlay Steering Committee  
**From:** Lake Street Zoning Overlay Consultant Team  
**Date:** April 18, 2023  
**RE:** **Lake Street Overlay District - Revised Annotated Outline**

The consultant team has prepared a revised draft annotated outline for the Lake Street Corridor Zoning Overlay. It reflects the Committee's review of the previous draft and discussions about its key provisions. As we discussed at our last meeting, the next step is for the consultant to present this revised draft to elected officials of each jurisdiction for their feedback on the overall approach and preliminary overlay requirements. The overlay's primary provisions are outlined below, and more in depth explanations for applying these standards are found in the draft overlay outline.

1. **Local Control:** Finding the right balance between maintaining the zoning regulation of the jurisdiction in which a property is located and corridor wide standards to enhance the overall corridor has been a central point of the overlay process.

**Permitted and Special Land Uses:** Unified land use and design standards to create a more attractive, predictable, and economically sustainable corridor was the lead principle of the overlay concept. We have heard several times that some of the land uses, older buildings, and code enforcement issues along Lake Street impact the entire corridor. Therefore, an effective overlay adopted by all the jurisdictions must have as many common standards as possible – this includes land use lists that may differ from those of the underlying jurisdiction. We understand the need to preserve local control and straightforward application of regulations. However, treating this corridor as a unified area and the overlay as a unique opportunity for enhancement will require flexibility regarding regulations. For the work done to date, it has become clear that the focus of that flexibility needs to be each of the corridor jurisdictions being open to varying its application of permitted use lists (the exception relates to cannabis related uses, which would follow local zoning). DuPage County has taken the first step in that direction by noting it is open to having its permitted or special use designations match those of adjacent communities or as designated in the overlay. In this spirit, the draft overlay presents a common use list for the corridor. That use list, and the approach to merge use lists, works to respect the regulations of each jurisdiction, but to establish a unified corridor that benefits each community and DuPage County.

**Input of Other Jurisdictions:** One of the questions about maintaining local control or sharing responsibilities relates to development approval. The question was whether consideration of a development proposal in one jurisdiction would require review and approval by the other

jurisdictions. This was not a recommendation of the consultant team, but a threshold question to consider the depth of joint efforts along the corridor. In considering this question, the Steering Committee felt that other jurisdictions should not have a formal role or vote in zoning determination of any other jurisdiction – the consultant team agrees.

**Notice and Information Sharing:** The next threshold question was the extent to which some formal notification of a development proposal should be shared with the other jurisdictions. The Steering Committee felt that including other jurisdictions as part of a formal hearing notice was unnecessary – and perhaps too late in the process for useful feedback. There was a consensus that informal notice to the other jurisdictions was useful and appropriate – and goes on already to a good extent. This would not occur with every contact of a potential development. The suggestion was that jurisdictions would inform others of a pending project when it was far enough along in the review process that formal (not final) plans had been submitted for internal technical review with development related departments (public works, fire, building, etc.). In this way, any feedback from another corridor community could be incorporated into local staff evaluation of the project. It should also be noted that DuPage County already has a formal process for letting jurisdictions know of zoning requests along and near their local boundaries.

2. **Zoning Districts:** To implement the notion outlined above for a common set of permitted and special uses along the corridor, a unique approach has been constructed. The intent is to create a common character of land uses along the corridor, so that the full length has a similar standard for businesses in the area and presents a common, attractive character that benefits all the jurisdictions. It considers the corridor as one entity, rather than disparate parts of four jurisdictions.

The overlay establishes land use groupings based on zoning districts of the corridor jurisdictions. This set of “Overlay Groups” will become the corridor zoning districts only for purposes of determining land use. These groups would be: 1) Residential, 2) Commercial, 3) Employment, 4) Institutional and 5) Planned Development. For example, DuPage County has three commercial zoning districts along the corridor (B-1, B-2, and O). For the purpose of determining permitted and special land uses, the overlay would address these with the Commercial Overlay Group. Similar for Bloomingdale (B-2, B-3, OD and OT), Roselle (B-5) and Hannover Park (B-2). A chart in the overlay text shows details of how this would work. NOTE: the chart of permitted and special uses as drafted is incomplete, and will be finalized working with local staffs upon the corridor jurisdictions reaching consensus on this approach. An important aspect of this task will be to avoid creating non-conforming uses in the jurisdictions.

3. **Transitional Land Use Buffering:** Once permitted land uses along the corridor are defined, the next question is how they interact with adjacent land use types. Most communities have transitional zoning standards with specific enhanced screening between dissimilar land uses (for example commercial or industrial activities adjacent to residential uses). The overlay includes similar transitional screening standards between different land use groups.

4. **Coordinating Committee:** The four jurisdictions involved in the overlay already work together and coordinate well, with staff and other local officials communicating periodically as needed. The overlay presents a more formal connection between the communities that merits a more formal communications structure. This would not be codified into the overlay, but spelled out in an intergovernmental agreement between the jurisdictions. As for meetings, it is suggested that officials (appointed and / or elected) and staffs meet every six months to assess the overlay generally, as well as consider how it is advancing local policy objectives and to review activity along Lake Street. In addition, staffs would meet in between those meetings for similar discussions, focused more on day to day zoning management and enforcement along the corridor.
5. **Regulations – Bulk and Setback:** Setback standards for the overlay have two primary functions, the first is to create a logical and consistent standard for the corridor. The second is to avoid creating undesired non-conformities.

**Residential:** Single family residential bulk standards in the overlay are based on the DuPage County R-4 District. Single family development in the area – known as Keenyville – is in the County and expected to remain unincorporated. Therefore, applying those bulk standards to the overlay is logical. For townhomes and multifamily developments, which have in the past occurred along the corridor and are incorporated into a community, bulk standards of the local jurisdiction are applied to maintain consistency and application of local development standards.

**Commercial:** Front setbacks of existing structures from Lake Street vary dramatically along the corridor. In some cases, commercial structures come up to the property line and in others are well setback from the roadway with a large grassy front. The likelihood of standardizing this setback is slim, and it is not essential. The recommended approach is to apply a best practice as a minimum and, acknowledge the setback is greater in some places. Therefore, the overlay applies an eighty-five foot front yard building setback and a 15 foot landscaped parking setback. This accommodates a green space between road and parking lot, a parking lot with two rows of parking separated by one two-way drive aisle, a sidewalk along storefronts and foundation landscaping. Bloomingdale requires a greater landscape setback (30'), which would add 15 feet to the setback and can be applied in the Village. For employment uses – such as the modernly designed industrial buildings in Hanover Park, the standards would reflect the Villages BP District.

6. **Regulations – Parking:** Standards for parking acknowledge the auto oriented character of this area and do not seek to limit parking (such as by applying parking maximums). However, parking standards would reflect latest best practices (of opting for lower amounts of required parking) and allow for relief through local zoning processes where shared parking options or lower definable demand could be evidenced. Alternatively, should each jurisdiction wish to apply their standards, this could be accommodated.

A number of parking best practices are incorporated in the overlay, such as bike parking, visitor parking, shared parking, pedestrian circulation, land banking, EV charging points, and code

enforcement. These standards are generally also found in each jurisdiction's zoning requirements, but are reiterated here to have a consistent application along the corridor.

7. **Regulations – Landscaping:** Standards in the overlay for landscaping reflect a “middle of the road” baseline approach. They are similar to those in the jurisdictions, require both interior and perimeter parking lot landscaping, and set an aesthetically solid bar for the corridor. Again, the standards are not dramatically different from those in the corridor jurisdictions, but are provided in the overlay to establish a consistent baseline.
8. **Regulations – Signs:** Signage regulations focus on two points, 1) the type of signs to be allowed and 2) the size of those signs. To be consistent along the corridor the type of signs to be permitted and prohibited are specified (see below). As to the height and size of signs, there was less concern about consistency by the committee and the suggestion was to apply the standards of each community – which is reflected in the draft outline.

***Permitted Signs***

1. Monument Signs
2. Low Profile Pole Signs
3. Wall Signs (installed as Pin or Raceway mounted)
4. Electronic Sign
5. Temporary Signs
6. Window Signage
7. Any sign otherwise permitted by the local jurisdiction but not listed as a prohibited sign below

***Prohibited Signs***

1. Pole Signs
2. Feather Signs
3. Wall signs (installed as cabinet mounted)
4. Off Premises Advertising Signs (billboards)
5. Any sign otherwise prohibited by the local jurisdiction.

A further question about signs was how to deal with those that are non-conforming and no longer meet sign requirements. The Steering Committee recommended, and the outline reflects an often applied best standard, that sign maintenance and changes to sign faces (panels) would be permitted, but that structural replacement not be considered maintenance and would require that the sign be brought into code compliance.

9. **Regulations – Misc.** A small number of additional regulations were considered as needed to maintain the character and appearance of the corridor. They set a minimum standard, but where regulations for these items are included in local codes, they would apply. The overlay provides such standards for outdoor storage, trash enclosures, accessory uses and structures, and lighting.

10. **Code Enforcement:** During the drafting period a number of concerns were raised related to appearance of the corridor, storage of materials, commercial vehicles in residential areas, etc. Regulations to address these have been added to the overlay to provide a common standard and additional enforcement tool.
11. **Amortization:** Amortization (requiring elimination after a specified time period) of nonconforming land uses and signs has been a part of the overlay drafting and discussion. The focus has been on adult uses and billboards. As the process has advanced, the sense of the committee is that amortizing adult uses is not necessary due to code enforcement efforts by the County. Further, the legal hurdle for amortizing such uses is high, and the current efforts can be more effective more quickly. As for other uses, the sense of the committee is that creating a more attractive development character along the corridor will draw more desirable uses and limit the need for amortizing uses (which can be a lengthy effort and challenging to apply). Therefore, amortizing of land uses is not incorporated into the overlay. Amortizing of non-conforming billboards is included in the overlay.
12. **Intergovernmental Agreement:** The consultant team recommends that the most effective manner in which to formalize the structure of the overlay and keep each government engaged in the effort toward a unified and vibrant Lake Street Corridor is through an intergovernmental agreement (IGA). The IGA would specify the format and responsibilities of the interactions as described here and in the overlay outline. A draft agreement will be provided as part of this process.

We look forward to keeping this important conversation going and creating an effective model for intergovernmental land use cooperation.